

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STEPHEN R. KERN,

Plaintiff,

vs.

CLARK COUNTY SHERIFF, et al.,

Defendants.

Case No. 2:13-cv-00855-RFB-NJK

ORDER

(Docket No. 46)

Pending before the Court is Plaintiff's motion to extend prison copy work limits, filed on December 29, 2015. Docket No. 46. For the reasons discussed below, the Court **DENIES** Plaintiff's motion to extend prison copy work limits.

I. Background

Plaintiff does not have a constitutional right to free photocopying. *Johnson v. Moore*, 948 F.2d 517, 521 (9th Cir. 1991) (citing *Sands v. Lewis*, 886 F.2d 1166, 1169 (9th Cir.1989) ("numerous courts have rejected any constitutional right to free and unlimited photocopying")). The Ninth Circuit has concluded that "an inmate has a right to photocopying . . . *when, and only when,* necessary to guarantee him meaningful access to the courts." *Hiser v. Franklin*, 94 F.3d 1287, 1294 n. 6 (9th Cir. 1996) (emphasis added). In this District, a court may order a prison to provide limited photocopying "when it is necessary for an inmate to provide copies to the court and other parties." *Allen v. Clark Cnty. Det. Ctr.*, 2011 WL 886343, at *2 (D. Nev. Mar. 11, 2011) (finding plaintiff demonstrated a need to increase the copy work limit when he provided a copy of his inmate account

1 statement showing a negative balance of \$199 and the case was pending appeal before the Ninth
2 Circuit).

3 Here, Plaintiff has not provided a copy of his inmate account statement showing that there
4 are insufficient funds for Plaintiff to provide copies to the court and other parties. *See* Docket No.
5 46. At this time, therefore, Plaintiff has not demonstrated the need to have his prison copy work
6 limit increased. The Court advises Plaintiff that he should use his copying privileges sparingly, and
7 utilize carbon paper to duplicate documents when possible.

8 Accordingly,

9 **IT IS HEREBY ORDERED** that Plaintiff's motion to extend prison copy work limits
10 (Docket No. 46) is **DENIED**.

11 DATED: December 30, 2015.

12
13 
14 NANCY J. KOPPE
15 United States Magistrate Judge
16
17
18
19
20
21
22
23
24
25
26
27
28